



McGregor W. Scott
United States Attorney
Eastern District of California

NEWS RELEASE

Sacramento
501 I. Street, Ste 10-100
Sacramento CA 95814
Tel (916) 554-2700
TTY (916) 554-2855

Fresno
2500 Tulare St., Suite 4401
Fresno, CA 93721
Tel (559) 497-4000
TTY (559) 497-4500

FOR IMMEDIATE RELEASE

November 2 , 2006

Contact: Sherrill Carvalho, 559-497-4000

<http://www.usdoj.gov/usao/cae>

**FRESNO MAN INDICTED FOR RECEIPT AND
POSSESSION OF CHILD PORNOGRAPHY**

FRESNO-- United States Attorney McGregor W. Scott announced today that a federal grand jury returned a two-count indictment charging JOHN AIRHEART, 44, of Fresno, California with receiving and possessing child pornography. The indictment alleges that on or about September 25, 2006, AIRHEART received and was in possession of images involving the sexual exploitation of minors.

This case is the product of a joint investigation by the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), and the Fresno County Sheriff's Office.

According to Assistant United States Attorney Sherrill A. Carvalho, who is prosecuting the case, if convicted of the charges as alleged in the indictment, AIRHEART faces up to 20 years imprisonment and a mandatory minimum of 5 years imprisonment for receipt of material involving the sexual exploitation of minors. Possession of child pornography is punishable for up to 10 years in prison. Both offenses provide for a possible lifetime term of supervised release and a fine of up to \$250,000. However, the actual sentence will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables, and any applicable statutory sentencing factors.

The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

###